


ORDERED.

Dated: April 17, 2018


Catherine Peek McEwen
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**
www.flmb.uscourts.gov

In re:

Case No. 8:16-bk-09072-CPM
Chapter 13

Tracy L. Foster

Debtor.¹

ORDER DENYING CONFIRMATION AND DISMISSING CASE
(THIS ORDER IS EFFECTIVE ON THE 15th DAY FOLLOWING DATE OF ENTRY)

THIS CASE came on for a duly-scheduled confirmation hearing on April 11, 2018 to consider confirmation of the proposed Chapter 13 Plan. Accordingly, it is

ORDERED:

1. The Debtor's Chapter 13 Plan, as filed, does not meet the requirements for confirmation and therefore confirmation is DENIED.
2. This case shall be and the same is hereby DISMISSED without prejudice.
3. The Trustee shall return to the Debtor any remaining funds on hand not previously disbursed, notwithstanding any other court orders, and shall thereafter file his final report, upon which filing, he will be discharged of his duties as Trustee. The

¹ All reference to "Debtor" shall include and refer to both of the Debtors in a case filed jointly by two individuals.

² All statutory references are to the Bankruptcy Code, Title 11 of the United States Code, unless otherwise noted.

Trustee shall return the aforementioned funds on hand to the Debtor, in care of Debtor's attorney, when represented by an attorney.

4. The Debtor, the Trustee, or any party in interest, may, within 14 days from the date of this Order, request the Court to examine the fees paid to Debtor's attorney and request disgorgement of any portion deemed excessive. The Court shall retain jurisdiction for this purpose

5. The Debtor may convert this case to a case under another chapter of the Bankruptcy Code within fourteen (14) days of the date of this Order. If the case is not converted within fourteen (14) days, the case is dismissed effective on the fifteenth (15) day after the date of entry of this Order.

6. If the automatic stay imposed by 11 U.S.C. §362(a) or §1301 is in effect at the time this Order is entered, the stay is extended 14 days from the date of this Order, notwithstanding the provisions of 11 U.S.C. §362(c)(2)(B).

7. All pending hearings are canceled with the exception of any scheduled hearing on a Motion for Relief from Stay or on an Order to Show Cause over which the Court reserves jurisdiction.

Trustee, Jon M. Waage, is directed to serve a copy of this order on interested parties who are non-CM/ECF users and file a proof of service within 3 days of entry of the order.

JMW/SKO/sn

C13T 04/12/18